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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,442	06/30/2003	C. Richard Hutchinson	020547-002510US	4956
20350	7590	10/17/2007	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			ROBINSON, HOPE A	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR			1652	
SAN FRANCISCO, CA 94111-3834				
MAIL DATE		DELIVERY MODE		
10/17/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

20071003

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Commissioner for Patents

The Amendment filed on August 1, 2007 is non-responsive (MPEP '821.03). Applicants on page 6 of the response state that claim Claim 28 has rewritten in independent form, including all of the limitations of the claims from which it formerly depended. As noted in the claim listing Claim 28 has been amended and is properly annotated with underlying for the newly imported limitations, however, the claim does not have any strike through for the previous language formerly presented in the amendment filed February 8, 2007 (i.e. The nucleic acid of claim 24 that encodes the MegBVI enzyme). The aforementioned language has been deleted from claim 28, however, not properly annotated, thus clarification is needed. Applicant is required to resubmit the claim listing with the appropriate corrections. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hope A. Robinson whose telephone number is 571-272-0957. The examiner can normally be reached on Monday-Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy, can be reached at (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOPE ROBINSON  
PRIMARY EXAMINER

Hope A. Robinson  
Primary Examiner  
Art Unit: 1652

HAR  
10/30/07